

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Police – Mahaboob Nagar District – Sanction of Prosecution against Sri Rajendra Kulakarni (A-6), Sub-Inspector of Police, Balanagar Police Station, Mahaboob Nagar District now presently working as Sub-Inspector of Police, Kachiguda Traffic Police Station, Hyderabad in Crime.No. 10/03 under sections 306, 324, 330, 343, 348, 201, 218, 193, 167 and 109 of the Indian Penal Code of Balanagar P.S Mahaboob Nagar District – Orders – Issued.

HOME (LEGAL-II) DEPARTMENT

G.O.Ms.No. 20

Dated: 20.1.2011

Read:

From Additional Director General of Police, CID, A.P., Hyderabad,
Lr.C.No. 2890/C5/CID/2003, dated: 28.01.2010.

ORDER:

Whereas, Sri Rajendra Kulakarni (A-6), Sub-Inspector of Police Balanagar Police Station, Mahaboob Nagar District now presently working as Sub-Inspector of Police, Kachiguda Traffic Police Station, Hyderabad is a public servant within the meaning of section 21 of the Indian Penal Code, 1860 Central Act 45 of 1860 and he is a member of the police force charges maintenance of public order issued in G.O.Ms.No. 631, Home (Courts-B) Department, dt: 30.4.1974 and he is a public servant who is not removable from his office save by order and the sanction of the Government and as such governed by direction for prosecution of public servant as envisaged under section 197 Code of Criminal Procedure;

2. And whereas, it is reported by the Additional Director General of Police, Crime Investigation Department, Hyderabad, that Sri P.P. Ravi Kishore, Circle Inspector of Police, Shadnagar took Malide Narasimhulu @ Ibrahimipally Narasimhulu S/o Chennaiah, 35 yrs, Gindlapotlapalli and 2 others namely Madamoni Dasaratham and Kallem Sattaiah of Gundlapotlapalli village in Balanagar Police Station from 05.01.03 to 13.01.03 as per the instructions of A-1 P.P.Ravi Kishore. During the above period of illegal detention of the three persons A1 to A5 tortured by A-1 P.P.Ravi Kishore and others to extract confession in Crime.No. 2/03 under section 302, 379 Indian Penal Code. As a result the deceased having disgusted on his life, committed suicide in Police custody in Balanagar P.S on the early hours of 14.1.03. Sri Rajendra Kulakarni, Sub-Inspector of Police, Balanagar P.S (A-6) issued FIR in Crime.No. 10/03 under section 174 Code of Criminal Procedure as if the deceased was arrested as suspected accused in Crime.No. 2/03 under sections 302, 379 Indian Penal Code on 13.01.03 at 9 P.M, brought to Police Station and committed suicide in police custody. He also fabricated other records to over come illegal detention. Thus there is sufficient material on record to charge the accused Sri Rajendra Kulakarni (A-6).

(a) Under Section 167, 193 and 218 of the Indian Penal Code for fabricating false evidence and framing incorrect record with intention to save the offenders.

(b) Under Section 109 of the Indian Penal Code read with 330, 343 and 348 of the Indian Penal Code for abetting the offences of illegal detention and wrongful confinement to extract confession committed by A-1.

(c) Under Section 306 of the Indian Penal Code for abetment of suicide committed by Narasimhulu.

Cont....

3. And whereas, the investigation conducted by the Crime Investigation Department, Hyderabad in Cr.No. 10/2003 of Bala Nagar Police Station revealed that Sri Rajendra Kulakarni (A-6), Sub-Inspector of Police, Balanagar Police Station, Mahaboob Nagar District, now presently working as Sub-Inspector of Police, Kachiguda Traffic Police Station, Hyderabad constitute the offences punishable under sections 306, 109 Indian Penal Code read with 330, 343, 348, 167, 193 and 218 of the Indian Penal Code.

4. And whereas, the Government of Andhra Pradesh, after careful examination of the various documentary evidence and the report of the Additional Director General of Police, Crime Investigation Department, Andhra Pradesh, Hyderabad placed before them, considered that the above said officer be prosecuted in a court of Law for the above said offences or any other offences relating to the incident.

5. Now, therefore, in exercise of the power conferred by clause(b) of sub-section (1) of section 197 of the code of Criminal Procedure, 1973 (Act 2 of 1974) read with Notification – II issued in G.O.Ms.No. 631, Home (Courts-B) Department, dt: 30th April 1974, the Government of Andhra Pradesh, Hyderabad, hereby sanction for the prosecution of Sri Rajendra Kulakarni (A-6), Sub-Inspector of Police, Balanagar Police Station, Mahaboob Nagar District now presently working as Sub-Inspector of Police, Kachiguda Traffic Police Station, Hyderabad for the said offences punishable under sections 109, 306, 330, 343 and 348 of the Indian Penal Code and 167 IPC, 193 IPC and 218 IPC, 1860 (Central Act 45 of 1860) and or any other provisions of law in respect of the aforesaid acts while acting or purporting to act in the discharge of his official duties and for taking cognizance of the offence in the court of competent jurisdiction.

6. The Government of Andhra Pradesh, further in exercise of powers conferred by sub-section (4) of section 197 of the Code of Criminal Procedure, 1973 (Central act 2 of 1974) hereby authorizes the Inspector of Police Crime Investigation Department, Regional Crime Investigation Unit, Kurnool to prosecute the above mentioned accused for the aforesaid offences and for taking cognizance of the said offences by a competent court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

P. GAUTAM KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Additional Director General of Police,
Crime Investigation Department, Andhra Pradesh, Hyderabad

Copy to:

The Director General of Police, Andhra Pradesh, Hyderabad.
Law (E) Department.
The P.S to Prl.Secy, Home.
C.No.30176/Legal.II/A1/2005
SF/SC

//Forwarded By Order//

Section Officer